

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$33,550.00 IN UNITED STATES
CURRENCY,

Defendant.

Civil No. 8:18CV 296

COMPLAINT FOR FORFEITURE *IN REM*

COMES NOW the Plaintiff, United States of America, and for its cause of action against the Defendant, states and alleges as follows:

Nature of the Action

1. This is an action to forfeit property to the United States for violations of 21 U.S.C. § 881.

The Defendant *In Rem*

2. The Defendant property consists of \$33,550.00 in United States currency seized from Travis William Earl Dancer on February 15, 2018, during a traffic stop on westbound Interstate 80 at 126th Street near mile marker 443 in Omaha, Douglas County, Nebraska. The Defendant property is presently in the custody of the U.S. Marshals Service at Omaha, Nebraska.

Jurisdiction and Venue

3. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court also has jurisdiction over this particular action under 21 U.S.C. § 881.

4. This Court has *in rem* jurisdiction over the Defendant property pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

Basis for the Forfeiture

6. The Defendant property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because it constitutes 1) money, negotiable instruments, securities and other things of value furnished or intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act, 2) proceeds traceable to such an exchange or 3) money, negotiable instruments and securities used and intended to be used to facilitate a violation of the Controlled Substances Act.

Facts

7. On February 15, 2018, Douglas County Sheriff's Office Deputy David Wintle stopped a vehicle for speeding as it was traveling westbound on Interstate 80 at approximately 126th Street in Omaha, Douglas County, Nebraska. Travis William Earl Dancer was the driver and lone occupant. Dancer stated the vehicle had been rented by Dancer's brother-in-law, Joe Anderson, because Dancer did not have a bank card. Dancer was unable to provide a rental agreement for the vehicle.

8. Dancer stated he worked for Strategic Direct Solutions and had been installing power plant back-ups in Chicago. Dancer stated his employer thought it would take several days, but he was able to complete the work in two days. He was now on his way home to Paradise, California.

9. Deputy Wintle asked if Dancer had any guns, drugs or over \$10,000.00, cash, in the vehicle. Dancer stated, "No sir." Dancer gave Deputy Wintle consent to deploy his Nebraska-certified drug detection canine on Dancer's rental vehicle. Deputy Wintle did so. The dog indicated to the odor of a controlled substance coming from the vehicle.

10. Dancer also gave Deputy Wintle consent to search the rental vehicle. Upon doing so, law enforcement found a duffle bag that held clothing, personal items and two large duffle bags, one of which smelled of raw marijuana.

11. Law enforcement noticed the screw caps holding the side panels in the trunk were loose. Upon unscrewing them, officers found three, silver pouches hidden in the natural voids behind the panels. The pouches held vacuum-sealed bags, which in turn, held dozens of rubber-banded bundles of cash in all denominations. The cash totaled \$33,550.00. It is the Defendant currency in this case.

12. During the search of Dancer's vehicle and wallet, law enforcement found hotel room receipts, in Dancer's name, gas station receipts, toll road receipts and food receipts showing Dancer's travel in the four days prior to the traffic stop. There are receipts dated February 10, 11, 12, 13 and 14, with times stamps on them, showing Dancer's travel east (and then west, until the traffic stop in Omaha) across the United States. The rental agreement stated the vehicle was available from noon on February 9 to noon on February 18. The agreement stated the vehicle would be picked up and returned in Chico, California, close to Dancer's home town of Paradise, California. Dancer was in Sandusky, Ohio, at 3:53 p.m. on February 13, 2018. He left Sandusky the next day, February 14, *via* an Ohio turnpike at 8:29 a.m. He went through an Ohio turnpike again, one and a half hours later, at West Gate, Ohio, at 10:00 a.m. He went through an Indiana

toll road at 10:56 a.m. that day, then through a Walmart in Morris, Illinois, at 12:45 p.m. that day, then got a hamburger at a Made-Right in Des Moines at 6:41 p.m. on the 14th. Deputy Wintle stopped Dancer in Douglas County at approximately 8:40 a.m. on February 15, 2018.

12. Deputy Wintle transported Dancer, his vehicle and the secreted cash to the sheriff's office at 156th & Maple Streets in Omaha, Nebraska. Deputy Wintle performed a discretionary sniff on the money. The dog indicated to the odor of a controlled substance coming from the area where the money had been hidden.

13. Law enforcement advised Dancer of his rights. He agreed to make a statement. He said the cash secreted in the vehicle was his life savings. He said he is hiding it from his ex-wife. Additionally, he said he had had a problem with a double billing from a hotel, which resulted in him not being able to have a bank account.

Claim for Relief

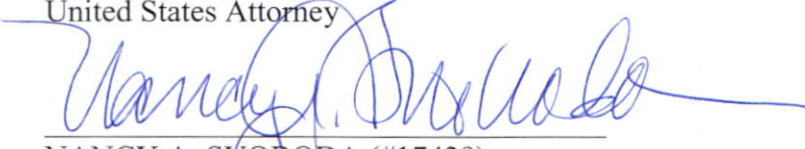
WHEREFORE, the Plaintiff, United States of America, prays the Defendant property be proceeded against for forfeiture in accordance with the laws, regulations and rules of this Court; that due notice be given to all interested parties to appear and show cause why forfeiture should not be decreed; that the Defendant property be condemned, as forfeited, to the United States of America and disposed of according to law and regulations; that the costs of this action be assessed against the Defendant property; and for such other and further relief as this Court may deem just and equitable.

UNITED STATES OF AMERICA,

Plaintiff

JOSEPH P. KELLY
United States Attorney

By:




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VERIFICATION

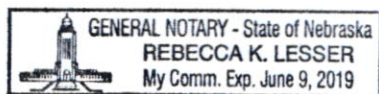
STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Pursuant to Rule C(2), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Assistant United States Attorney for the District of Nebraska, Nancy A. Svoboda, being first duly sworn, deposes and states the facts set forth herein are true and correct according to the best of her knowledge and belief.



NANCY A. SVOBODA
Assistant U.S. Attorney

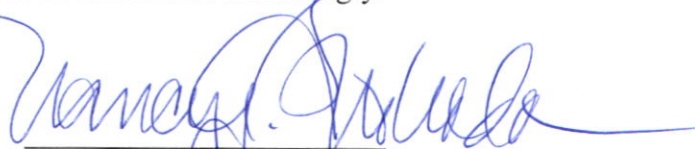
Subscribed and sworn to before me this 26th day of June, 2018.





Notary Public

Pursuant to the rules of this Court, the United States of America hereby requests the trial of the above action be held in Omaha, Nebraska, and be calendared accordingly.



NANCY A. SVOBODA
Assistant U.S. Attorney